



Attorney's Docket No.: 06275-277001 / AFG/Z70389-1P US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John Edward Norris Morten      Art Unit : 1634  
Serial No. : 09/787,371      Examiner : Carla J. Myers  
Filed : March 16, 2001  
Title : POLYMORPHISMS IN THE HUMAN VCAM-1 GENE, SUITABLE FOR  
DIAGNOSIS AND TREATMENT OF VCAM-1 LIGAND MEDIATED  
DISEASES

Commissioner for Patents  
Washington, D.C. 20231

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**DECLARATION UNDER 37 C.F.R. §1.132 OF DR. JOHN E. N. MORTEN**

I, John E. N. Morten, a citizen of the United Kingdom, residing in Northwich, England,  
hereby declare as follows:

1. I have been a research scientist at AstraZeneca UK Ltd. (formerly Zeneca Ltd.) in the United Kingdom since 1987. I am currently Team Leader of the Global Enabling Science and Technology Department at AstraZeneca. From 1977 to 1980, I was a postgraduate researcher at University of Birmingham, UK. I received my Ph.D. in Cancer Studies from University of Birmingham in 1980. I have conducted molecular and biochemistry research for 20 years.
2. I am the inventor of the invention claimed in the above-identified patent application, and I have read and understand the contents of the present patent application. This application claims priority to PCT/GB99/03057, filed September 15, 1999, and GB 9820338.3, filed September 19, 1998.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

August 22, 2003  
Date of Deposit  
Signature *Lisa G. Gray*  
Lisa G. Gray  
Typed or Printed Name of Person Signing Certificate

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3. I have been advised and understand that the Examiner has rejected claims 1-4, 6 and 7 of the above-referenced application for being indefinite over the recitation of "EMBL ACCESSION NO: M92431." The Examiner argues that the sequence represented by that accession number may not currently be identical to what was represented by that accession number at the priority date.

4. Attached hereto as Exhibit A is a paper copy of the sequence of EMBL ACCESSION NO:M92431. I hereby declare that the sequence represented by Exhibit A is identical to the sequence of EMBL ACCESSION NO:M92431 that existed at the time the earliest priority application was filed (September 19, 1998), and is also identical to the sequence referred to as SEQ ID NO:2 throughout the specification of the instant application. Accordingly, the sequence referred to as SEQ ID NO:2 throughout the specification is identical to the sequence of EMBL ACCESSION NO:M92431 that existed at the time the earliest priority application was filed.

5. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title XVIII of the United States Code, and that such willful false statements may jeopardize the validity of this Application for Patent or any patent issuing thereon.

John E. N. Morten  
John E. N. Morten

18<sup>th</sup> July 2003  
Date